

MINUTES OF THE MEETING FOR THE NEVADA STATE BOARD OF ATHLETIC TRAINERS (NSBAT)

DATE: April 10, 2007

LOCATIONS:

University of Nevada Reno
1664 N. Virginia Street
Savitt Medical Science Building,
Jones Conference Room #124
Reno, NV 89557

University of Nevada Las Vegas
4505 Maryland Parkway
Classroom Building Complex
Building B – Room #117
Las Vegas, NV 89154

1. Meeting called to order by Steve McCauley at 9:10am. Members present in Las Vegas include Steve McCauley and Ann Dovenmuehler. Members present in Reno include Marc Paul; others present include Keith Marcher (AG rep via teleconference), Stacey Whittaker (Executive Secretary). Anne Hanson and Janene Izatt, excused absences. Steve McCauley asks that the record reflect the Board maintains a quorum, the meeting can proceed.

2. Review and approve meeting minutes from 1/16/07. Steve asks for comments, there are none. Marc Paul motions to approve the above mentioned minutes, Ann Dovenmuehler seconds the motion. Approved 3-0.

3. Review and discuss responses received from letters sent out to non licensed individuals that are listed with the NATABOC as an ATC in the state of Nevada. Stacey Whittaker (Executive Secretary) went over the results of the mailing: 43 letters were sent out; 18 individuals have responded by either applying for a license or sending in documentation that they are not practicing as an Athletic Trainer or holding themselves out as an ATC; 7 letters were returned with no forwarding address; and 18 individuals have not responded. Steve asks if these letters were sent via certified mail, Stacey answers yes and that we have received confirmation of delivery. Steve asks how many individuals have applied for a license, there are 3. Ann Dovenmuehler asks if we can go over the individual's names who did not respond, Keith Marcher responds no. He then recommends that the Board send out a subsequent letter to these individuals stating that we inquired about their status, received no response and remind them that they may not practice this profession without a license and if they do, it is a misdemeanor. It will be like a cease and desist letter, which tells them they do not have a license and that they may not practice. Steve asks if the letter should come from the Attorney General's office, Keith feels that this is not necessary but that we can refer any questions they might have to his office. It is important to create a trail of correspondence that we have tried to get in touch with these individuals. If we receive a complaint on one of these individuals that they are out there practicing, we have the documentation necessary to go after these individuals. Keith asks if these individuals are currently listed with the NATABOC as ATC's in the state of Nevada, Stacey confirms that she received an updated list from the BOC. Keith recommends that the letters also state, that until they get themselves licensed, they shouldn't be listed with the NATABOC as an ATC in the state of Nevada. Keith asks Stacey to draft a letter and forward it to him for review. Marc asks what about the 7 individuals with an unknown address, Keith recommends that we go ahead and send them the letter as well, even though it will be returned, it will contribute to our paper trail. This shows that we have made an effort to get in touch with these individuals. Keith recommends that the letters go out via regular mail and certified mail. Steve asks if there are any comments, there are none. He asks that the record reflect that our next step is to send out subsequent letters to those individuals who did not respond.

4. Review and discuss NRS 640B.410 fees established by the Board. Steve asks where we stand with the fee schedule. Stacey confirms that the regulation has been adopted and filed with the LCB as a temporary regulation. The process will have to be completed again sometime around July since it is a temporary regulation. Stacey clarifies that the reason this is on the agenda is to clarify the difference between a late fee for annual renewals (beyond the June 30 deadline) vs. a reinstatement fee for an expired license. Stacey asks at the time a renewal is late, does she charge them the \$75.00 late fee or the \$300.00 reinstatement fee for an expired license. Marc asks if we should give them some sort of grace period after June 30th. Steve feels that the late fee is not applicable; if you

do not meet the June 30th deadline then your license is expired. Marc asks if we can remove the \$75.00 late fee from the regulation. Keith recommends that when we file it as a permanent regulation, Stacey should bring this issue up with the LCB and make changes at that time. If this becomes a problem at the renewal period, we can look at the regulation and charge one or the other, it is inconsistent to charge both. Keith recommends that we look at other Boards and what they do. Steve feels that if this does become a problem, we don't have a grace period listed on the regulation which results in the reinstatement fee. Keith says we can make that call for now, but until this is ironed out, we can charge one of the two fees. Marc feels that the \$300 fee would create the largest outcry, yet it probably wouldn't happen again. Steve asks what documentation comes in with their renewal, Stacey informs him that it is the renewal application and their fees; we then verify their status with the NATABOC. Marc asks how the NATABOC handles continuing education, Steve and Stacey clarify that you are put on Administrative Suspension if the requirements are not met. Ann asks if this includes delinquent fees as well; Stacey confirms yes and that it is up to the Board to check each individual's verification with the BOC.

Steve feels that at this point the Board needs to direct the Secretary in how to handle this before renewals hit in June. Marc agrees with the cutoff of June 30 and that anything after results in an expired license. Steve feels that we cannot justify a late fee without parameters (some may wait 6 months or more to renew their license) and that we should proceed with the reinstatement fee; you are either licensed or you are not. If there are extenuating circumstances, then the Board can review those. Marc and Ann feel that individuals who look at the fee schedule will want to pay the late fee, not the reinstatement fee. Keith recommends that since there is no timeframe in the regulation in regards to late fees, that the renewal postcard should inform them that their license is due to expire on June 30th and if they fail to meet the deadline, they will be subject to a reinstatement fee of \$300.00 (in addition to the renewal fee). If someone wants to challenge the reinstatement fee, they can appeal it to the Board. Keith directs the Board to make the changes to the regulation before it is filed again. There are no further questions at this time.

5. Review and approve applications for the subcommittee on fitness professionals. The Board has made several attempts to contact a particular individual who is a potential candidate for the subcommittee. Anne Hanson has provided information regarding this individual and that he may no longer be available to participate on the subcommittee. In the meantime, we may need to seek other applicants. Steve McCauley motions to table item #5 until which time we have further information regarding his candidacy. Ann Dovenmuehler seconds the motion. Approved 3-0.

6. Update on the subcommittee on fitness professionals. Steve informs the Board that a survey has been drafted that will be placed on the NSBAT website. A letter has also been drafted that will be sent out with the survey to fitness facilities. The idea is to get a sample for the industry, whether or not they feel licensure is important and if not, why. Rob Conatser (Subcommittee Chairman) is also working on a letter that will go to the Legislative Commission depicting the status of the subcommittee. Marc Paul asks Steve what the next step is for the subcommittee. Steve tells him that the committee will review the results of the survey which will give them an idea for how fitness professionals feel about being regulated. Marc feels that this is a major undertaking, how can we possibly get a handle on such a huge industry? Steve clarifies that the Legislature has tasked the Board with this obligation and it is up to us to provide them with the information and the feasibility of regulating this industry. It is then up to the State Legislature to take it on. Steve asks if there are any questions/comments, there are none.

7. Public comments. Steve notes that there are not any members of the public present in either Las Vegas or Reno.

8. Future agenda items:

- A. Review and discuss responses received from non licensed ATC's.
- B. Review and discuss outcome of license renewal process.
- C. Review and discuss financial status of the Board.
- D. Review and discuss status of fees regulation NRS 640B.410. (Stacey will look into the time frame for conducting the workshop and hearing. Keith thinks that we cannot do both on one day, we will know more once the session is over.)
- E. Review and approve applications for the subcommittee on fitness professionals.
- F. Update on the subcommittee on fitness professionals.
- G. Steve inquired about some work that Janene Izatt was working on for the Board. Stacey is to follow up with her to see if it needs to be placed on the next agenda.

9. Next meeting set for August 7, 2007 at 9:00 am.
10. Marc Paul motions to adjourn; Ann Dovenmuehler seconds. Meeting adjourned at 10:07 am.
Approved 3-0.